

REMARKS

Claims 1-26 are pending in the present application. In the Final Office Action mailed April 27, 2007, the Examiner rejected claims 1-12 under 35 U.S.C. §101. The Examiner next rejected claims 1-3, 5-9, 13, 16-19, and 24-26 under 35 U.S.C. §102(b) as being anticipated by Kruger (USP 6,216,025). Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kruger in view of Takashima (JP363211879). Claims 10-12, 13-15, 20, 21, and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kruger in view of Ben-Haim et al. (US Pub. 2002/0065455). Claim 22 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kruger in view of Ben-Haim et al., and further in view of Maas, III (US 6,181,832).

The Examiner rejected claims 1-12 under 35 U.S.C. §101. Although Applicant disagrees with the Examiner regarding the rejection under §101, Applicant has canceled claim 3 and incorporated the material of claim 3 into claim 1. Claim 1 now calls for, in part, reconstructing an image of the imaging object based on the first set and the second set of TCT data. As such, Applicant believes the Examiner's rejection of claim 1 is overcome. Specifically, Applicant believes that the claim, as called for, meets the requirements of §101 and the act as called for, i.e. reconstructing an image, meets the enumerated requirements by calling for something that is "useful, tangible, and concrete." As such Applicant believes the §101 rejection is overcome and requests withdrawal thereof.

Regarding the §102 and §103 rejections, Applicant is filing this response in order to place the claims in better condition for appeal. Accordingly, the claim amendments submitted herein address the §101 rejection, thus placing the claims in condition to address the §102 and §103 rejections in the appeal.

Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in better condition for appeal.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

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Attorney Docket No.: GEMS8081.195

Respectfully submitted,

/Kent L. Baker/

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General Authorization and Extension of Time

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 07-0845. Should no proper payment be enclosed herewith, as by credit card authorization being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 07-0845. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extensions under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 07-0845. Please consider this a general authorization to charge any fee that is due in this case, if not otherwise timely paid, to Deposit Account No. 07-0845.

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